

# State of South Dakota

EIGHTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2008

635P0615

## SENATE BILL NO. 156

Introduced by: Senators Apa, Abdallah, Hunhoff, Koetzle, Maher, and Napoli and  
Representatives Pederson (Gordon), Dennert, Moore, and Turbiville

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding special motor vehicle  
2 license plates for veterans with a disability, prisoners of war, Pearl Harbor survivors, and  
3 Purple Heart recipients.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 32-5-108 be amended to read as follows:

6 32-5-108. Any resident veteran owner of a motor vehicle who has received the United States  
7 Veterans' Administration K Award, meets the qualifications established by Public Law 187 of  
8 the Eighty-second Congress for a veteran to receive an automobile, or a veteran who has been  
9 rated as in receipt of a statutory benefit for loss or loss of use of one or more extremities, or a  
10 veteran who receives a veteran's allotment for total disability under compensation which is  
11 considered a service-connected injury, upon application to the department shall receive a ~~set~~  
12 maximum of two sets of special license plates for any automobile, pickup truck, or van licensed  
13 pursuant to § 32-5-5 or a motorcycle licensed pursuant to § 32-5-9. Any non-commercial motor  
14 vehicle that is a pickup truck and that weighs more than six thousand pounds licensed pursuant  
15 to § 32-5-6.3 or a motor home licensed pursuant to § 32-5-6.1 does not qualify for the special



1 plates. The special plates shall be displayed as set forth in § 32-5-98. The design of the license  
2 plate shall consist of a white background bordered on the left by a blue field with white stars and  
3 on the right by alternating red and white stripes. The words—" Disabled Veteran", shall be  
4 inscribed on the plate in blue, in at least ten point bold type. The license plate shall be  
5 reflectorized and validated each year with a sticker in the same manner as a noncommercial  
6 license plate. License fees for the special plates shall be ten dollars for the plates and the  
7 renewal stickers. No license fee or sticker fee pursuant to § 32-5-6 or 32-5-9 may be charged  
8 to the veteran. The fees shall be deposited in the license plate special revenue fund.

9 In order to qualify for a special license plate pursuant to this section, a veteran shall, in  
10 addition to meeting the qualifications established in the first paragraph, have incurred disabling  
11 injuries while serving the United States in active duty during a time of war or while participating  
12 in a military mission involving armed conflict. If it is determined that the veteran owner does  
13 not qualify for the special plates or if the veteran owner dies, the plates shall be surrendered to  
14 the county treasurer of applicant's residence. The treasurer shall notify the secretary who shall  
15 make the necessary changes in the registration file. Failure to surrender the special license plates  
16 as required by this section is a Class 2 misdemeanor.

17 Section 2. That § 32-5-109 be amended to read as follows:

18 32-5-109. Any resident of this state who was a prisoner of war while serving in the United  
19 States armed forces and who received an honorable discharge from the United States armed  
20 forces is eligible to apply to the secretary for a maximum of two sets special motor vehicle  
21 license plates if the resident has first complied with all laws of this state for any automobile,  
22 pickup truck, or van licensed pursuant to § 32-5-5. Any non-commercial motor vehicle that is  
23 a pickup truck and that weighs more than six thousand pounds licensed pursuant to § 32-5-6.3  
24 or a motor home licensed pursuant to 32-5-6.1 does not qualify for the special plates. Each

1 application shall be on a form prescribed by the secretary and shall include certification of the  
2 applicant's prisoner of war status from the United States Veterans' Administration. The applicant  
3 shall pay a ten dollar fee and shall receive special plates. The special plates shall be displayed  
4 as set forth in § 32-5-98. A fee of ten dollars shall be paid for the renewal stickers. No  
5 registration fee or sticker fee may be charged to the applicant pursuant to § 32-5-6. The fees  
6 shall be deposited into the license plate special revenue fund. Upon approval of the application,  
7 the secretary shall issue the license plates which shall be numbered consecutively, beginning  
8 with the number 1, and the number shall be preceded by the letters POW. If it is determined that  
9 an applicant does not qualify for the special plates or if the applicant dies, the plates shall be  
10 surrendered to the county treasurer of the applicant's residence. The treasurer shall notify the  
11 secretary who shall make the necessary changes in the registration file. Failure to surrender the  
12 special license plates as required by this section is a Class 2 misdemeanor.

13 Section 3. That § 32-5-109.1 be amended to read as follows:

14 32-5-109.1. Any resident of this state who was serving in the United States armed forces  
15 and survived the attack at Pearl Harbor, Hawaii, on December 7, 1941, and who received an  
16 honorable discharge, may apply to the secretary for a maximum of two sets of special motor  
17 vehicle license plates if the applicant has complied with all the laws of this state for any  
18 automobile, pickup truck, or van licensed pursuant to § 32-5-5. Any non-commercial motor  
19 vehicle that is a pickup truck and that weighs more than six thousand pounds licensed pursuant  
20 to § 32-5-6.3 or a motor home licensed pursuant to § 32-5-6.1 does not qualify for the special  
21 plates. Each application shall be on a form prescribed by the secretary and shall include such  
22 information as the secretary may require. The applicant shall pay a ten dollar fee and shall  
23 receive special plates. The special plates shall be displayed as set forth in § 32-5-98. A fee of  
24 ten dollars shall be paid for the renewal stickers. No registration fee or sticker fee may be

1 charged to the applicant pursuant to § 32-5-6. The fee shall be deposited into the license plate  
2 special revenue fund. Upon approval of the application, the secretary shall issue the license  
3 plates. The license plates shall be numbered consecutively beginning with number 1 and contain  
4 a symbol to be determined by the secretary indicating that the owner of the vehicle is a Pearl  
5 Harbor survivor. If it is determined that an applicant does not qualify for the special plates or  
6 if the applicant dies, the plates shall be surrendered to the county treasurer of the applicant's  
7 residence. The treasurer shall notify the secretary who shall make the necessary changes in the  
8 registration file.

9 Section 4. That § 32-5-109.2 be amended to read as follows:

10 32-5-109.2. Any resident veteran owner of a motor vehicle who has received the Purple  
11 Heart Medal may apply to the secretary to receive a maximum of two sets of special license  
12 plates for any automobile, pickup truck, or van licensed pursuant to § 32-5-5. Any non-  
13 commercial motor vehicle that is a pickup truck and that weighs more than six thousand pounds  
14 licensed pursuant to § 32-5-6 or a motor home licensed pursuant to § 32-5-6.1 does not qualify  
15 for the special plates. The fee for the special license plates and the renewal stickers for the plates  
16 shall be issued only upon proof of payment of the current registration fees shall be ten dollars.  
17 The special plates shall be numbered consecutively beginning with number 1 and contain a  
18 symbol to be determined by the secretary indicating that the owner has received the Purple Heart  
19 Medal. The special plates shall be displayed as set forth in § 32-5-98. The special license plate  
20 shall be reflectorized and validated each year with a sticker in the same manner as a  
21 noncommercial license plate. No license fees ~~may be charged for the special plates and its or~~  
22 renewal stickers fees may be charged to the applicant pursuant to § 32-5-6. If it is determined  
23 that the veteran owner does not qualify for the special plates or if the veteran owner dies, the  
24 plates shall be surrendered to the county treasurer of the applicant's residence. The treasurer

- 1 shall notify the secretary who shall make the necessary changes in the registration file. Failure
- 2 to surrender the special license plates as required by this section is a Class 2 misdemeanor.